PATENT 1254-0170p

THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

ITOH, et al.

Conf.:

6155

Appl. No.:

09/779,558

Group:

1713

Filed:

February 9, 2001 Examiner: Kelechi EGWIM

For:

LOW FOGGING THERMOPLASTIC ELASTOMER

COMPOSITION AND MANUFACTURING METHOD AND

USE OF SAME COMPOSITION

## REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MS RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 June 21, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

- $\boxtimes$ This Request for Continued Examination is being filed prior to the earliest of:
  - (1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.
- $\Box$ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

06/23/2004 JBALINAN 00000143 09779558

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770.00 DP

2010-00 OP 02 FC:1255

The	enclose	d document	is being	transmi	tted	via facs	simile	e.	
Subm	ission 1	Required u	nder 37 C.	F.R. §	1.114	<u>:</u>			
		enter the After Final Amendment(s) previously on November 19, 2003 under 37 C.F.R. § 1.116.							
Ente	r as pa	rt of the p	present su	bmissio	n:				
	The After Final Amendment(s) previously filed on , under 37 C.F.R. § 1.116 but unentered, in the present application.								
	Arguments in the Appeal Brief or Reply Brief previously filed on .								
$\boxtimes$		y Under Ru lculated a				eto. Cla	aim fe	ee(s)	
		TOTAL	TOTAL	NUMBER	Large Entity		Small Entity		
		NUMBER OF CLAIMS PREVIOUSLY PAID FOR	NUMBER OF CLAIMS BEING FILED HEREWITH	<u>EXTRA</u>	Rate	Fee	Rate	Fee	
Total Claims		33	33 =	0	X 18	\$	x 9	\$	
Independent Claims		6	6 =	0	X 86	\$	X 43	\$	
		PRESENTATION ENT CLAIM	OF A MULTIP	LE	290	\$	145	\$	
			TO	TAL CLAIM	1 FEE (S)		\$0.00		
		ormation D		<b>0</b> 44				1440	

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The required fee under 37 C.F.R.  $\S$  1.17(e) as required by 37 C.F.R.  $\S$  1.114 when the RCE is filed, is enclosed herewith:

- \$385.00 small entity
- $\boxtimes$  \$770.00 large entity
- The applicant(s) hereby petition(s) for an extension of five (5) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
  - NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$2,010.00 is required for the full period of the above-requested extension of time.
  - An extension of ( ) month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.
- The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.
- Enclosed is(are) check(s) in the total amount of \$2,780.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §\$1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Marc S. Weiner, #32,181

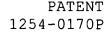
P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000

Attachment(s)

MSW/lab/jmb

1254-0170p

(Rev. 02/12/2004)





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Examiner: Eqwim

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LOW FOGGING THERMOPLASTIC ELASTOMER COMPOSITION

AND MANUFACTURING METHOD AND USE OF SAME

COMPOSITION

REPLY: RESPONSE TO NOTICE OF ABANDONMENT AND INTERVIEW SUMMARY RECORD

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Abandonment mailed June 3, 2004, and the Office Action mailed May 20, 2003, the period for response being extended five (5) months, the following amendments and remarks are respectfully submitted in connection with the aboveidentified application.

This paper includes:

A listing of the claims; and

Remarks.

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